

Jennifer C. Pizer (CA Bar No. 152327)
 Lambda Legal Defense and Education Fund
 4221 Wilshire Blvd., Suite 280
 Los Angeles, CA 90010
 (213) 590-5903
 jpizer@lambdalegal.org

M. Currey Cook (NY Bar No. 4612834)
 (admitted *pro hac vice*)
 Lambda Legal Defense and Education Fund
 120 Wall St., 19th Fl.
 New York, New York 10005
 ccook@lambdalegal.org
 Telephone: (212) 809-8585

Sasha Buchert (OR Bar No. 070686)
 (admitted *pro hac vice*)
 Lambda Legal Defense and Education Fund
 1776 K Street, N.W., 8th Floor
 Washington, DC 20006-2304
 Sbuchert@lambdalegal.org
 Telephone: (202) 804-6245

Counsel for Plaintiffs

Jeffrey B. Dubner (DC Bar No. 1013399)
 (admitted *pro hac vice*)
 Kristen Miller (DC Bar No. 229627)
 (admitted *pro hac vice*)
 Sean A. Lev (DC Bar. No. 449936)
 (admitted *pro hac vice*)
 Democracy Forward Foundation
 P.O. Box 34553
 Washington, DC 20043
 jdubner@democracyforward.org
 kmiller@democracyforward.org
 slev@democracyforward.org
 Telephone: (202) 448-9090

Kathryn E. Fort (MI Bar No. 69451)
 (admitted *pro hac vice*)
 Michigan State University College of Law
 Indian Law Clinic
 648 N. Shaw Lane
 East Lansing, M.I. 48824
 fort@msu.edu
 Telephone: (517) 432-6992

Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

CALIFORNIA TRIBAL FAMILIES COALITION,
 et al.,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity as
 Secretary of Health and Human Services, et al.,

Defendants.

Case No. 3:20-cv-6018-MMC

**JOINT STIPULATED REQUEST AND
 [PROPOSED] ORDER TO ENLARGE
 BRIEFING SCHEDULE**

Pursuant to this Court's Standing Order (ECF No. 38-1) and Local Civil Rules 6-2 and 7-12, the Parties hereby stipulate to and respectfully request entry of a Court order enlarging the time for summary judgment briefing consistent with the following schedule:

- Plaintiffs' motion for summary judgment is due May 17, 2021.
- Defendants' combined opposition to Plaintiffs' motion and cross-motion for summary judgment is due June 16, 2021.
- Plaintiffs' combined reply in support of their motion and opposition to Defendants' cross-motion is due July 1, 2021.
- Defendants' reply in support of their motion is due July 15, 2021.

This is the fifth time modification request by the Parties. The Parties previously requested (1) an enlargement of Defendants' deadline to file an answer and a certified copy of the Administrative Record, (2) an enlargement of the summary judgment briefing schedule due to the obligations of Plaintiffs' Counsel in other matters, including five substantive filings and a hearing on a motion to dismiss that was scheduled in the second half of January, (3) an enlargement of the summary judgment briefing schedule so that Defendants could reevaluate the rule at issue in this case, and (4) an enlargement of the summary judgment schedule so that the Parties could discuss potential resolutions to the case.

The Parties seek the present enlargement because they are continuing to discuss the possibility of resolving the case without summary judgment briefing. It would present the most efficient use of the Parties' and the Court's resources if the Parties complete these discussions before commencing briefing.

The only effect on this Court's schedule will be to extend the conclusion of summary judgment briefing by 30 days. Accordingly, the Parties respectfully request that the Court enter the proposed stipulated schedule.

IT IS SO STIPULATED.

Dated: April 8, 2021

Respectfully submitted,

By: /s/ Jeffrey B. Dubner
Jeffrey B. Dubner (DC Bar No. 1013399)

1 (admitted *pro hac vice*)
2 Kristen Miller (DC Bar. No. 229627)
3 (admitted *pro hac vice*)
4 Sean A. Lev (DC Bar. No. 449936)
5 (admitted *pro hac vice*)
6 Democracy Forward Foundation
7 P.O. Box 34553
8 Washington, DC 20043
9 jdubner@democracyforward.org
10 kmiller@democracyforward.org
11 slev@democracyforward.org
12 Telephone: (202) 448-9090

9 Jennifer C. Pizer (CA Bar. No. 152327)
10 Lambda Legal Defense and Education Fund
11 4221 Wilshire Blvd., Suite 280
12 Los Angeles, CA 90010
13 (213) 590-5903
14 jpizer@lambdalegal.org

13 M. Currey Cook (NY Bar No. 4612834)
14 (admitted *pro hac vice*)
15 Lambda Legal Defense and Education Fund
16 120 Wall St., 19th Fl.
17 New York, New York 10005
18 ccook@lambdalegal.org
19 Telephone: (212) 809-8585

18 Sasha Buchert (Oregon Bar No. 070686)
19 (admitted *pro hac vice*)
20 Lambda Legal Defense and Education Fund
21 1776 K Street, N.W., 8th Floor
22 Washington, DC 20006-2304
23 Sbuchert@lambdalegal.org
24 Telephone: (202) 804-6245

22 Kathryn E. Fort (MI Bar No. 69451)
23 (admitted *pro hac vice*)
24 Michigan State University College of Law
25 Indian Law Clinic
26 648 N. Shaw Lane
27 East Lansing, M.I. 48824
28 fort@msu.edu
Telephone: (517) 432-6992

Counsel for Plaintiffs

1
2 Dated: April 8, 2021

Respectfully submitted,

3 DAVID L. ANDERSON

4 United States Attorney

5 /s/ Emmet P. Ong

6 EMMET P. ONG

7 Assistant United States Attorney

8 *Counsel for Defendants*

[PROPOSED] ORDER

Pursuant to stipulation of the parties, IT IS SO ORDERED.

DATED: _____

HON. MAXINE M. CHESNEY
United States District Judge